

ENTERED

April 05, 2023

Nathan Ochsner, Clerk

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:	:
	: Chapter 11
KATERRA INC., <i>et al.</i> ,	:
	: Case No. 21-31861 (DRJ)
	:
Debtors.	: (Jointly Administered)
	:
KATERRA INC., by and through Daniel R.	:
Williams, as Plan Administrator on behalf of	:
Katerra Inc. and related debtors	:
	: Adv. No. 22-03344
Plaintiff,	:
	:
v.	:
	:
Deloitte & Touche LLP	:
	:
	:
Defendant	:

**ORDER GRANTING PLAINTIFF’S MOTION FOR ENTRY OF AN ORDER
AUTHORIZING PLAINTIFF TO FILE THE MEMORANDUM OF LAW IN
OPPOSITION TO DEFENDANT’S MOTION TO COMPEL ARBITRATION AND
DISMISS OR, IN THE ALTERNATIVE, STAY THE ADVERSARY PROCEEDING
UNDER SEAL AND (II) DECLARATION OF DANIEL R. WILLIAMS, PLAN
ADMINISTRATOR FOR THE WIND-DOWN DEBTORS’ ESTATES, IN SUPPORT OF
PLAINTIFF’S MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANT’S
MOTION TO COMPEL ARBITRATION AND DISMISS OR, IN THE ALTERNATIVE,
STAY THE ADVERSARY PROCEEDING; AND (III) DECLARATION OF ELIZABETH
C. VIELE, IN SUPPORT OF PLAINTIFF’S MEMORANDUM OF LAW IN
OPPOSITION TO DEFENDANT’S MOTION TO COMPEL ARBITRATION AND
DISMISS OR, IN THE ALTERNATIVE, STAY THE ADVERSARY PROCEEDING**

(Docket No. 38)

Upon the Motion (the “Motion to Seal” or “Motion”)¹ of the Plaintiff, for entry of an order
(this “Order”) authorizing Plaintiff to file under seal the (i) opposition (the “Opposition”) to
Defendant’s Motion to Compel Arbitration and Dismiss or, in the Alternative, Stay the Adversary

¹ Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Motion to Seal.

Proceeding (the “Motion to Compel”), (ii) the *Declaration of Daniel R. Williams, Plan Administrator for the Wind-Down Debtors’ Estates, In Support of Plaintiff’s Opposition to Defendant’s Motion to Compel Arbitration and Dismiss or, in the Alternative, Stay the Adversary Proceeding* (the “Plan Administrator Declaration”); and (iii) the *Declaration of Elizabeth C. Viele in Support of Plaintiff’s Memorandum of Law in Opposition to Defendant’s Motion to Compel Arbitration and Dismiss or, in the Alternative, Stay the Adversary Proceeding* (the “Viele Declaration”) and accompanying exhibits, as more fully set forth in the Motion; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 1334 and 157(b); and this Court having found that venue of this proceeding and the Motion is proper pursuant to 28 U.S.C. §§157(b); and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor; it is HEREBY ORDERED THAT:

1. The Plaintiff may file the Opposition, Plan Administrator Declaration, and Viele Declaration (and accompanying exhibits) under seal.
2. Notice of the Motion to Seal as provided therein shall be deemed good and sufficient notice of such motion and the requirements of the Bankruptcy Rules and the Bankruptcy Local Rules of this Court are satisfied by such notice.
3. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Signed: April 05, 2023.



DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE